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SC Court of Appeals

**THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEAL**

ROBERT EARL DILLARD,
Appellant.

v.

THE STATE
RESPONDENT.

)
) **MOTION TO FILED AND PROCEED**
)
) **IN FORMA PAUPERIS IN PRE-**
) **PAYMENT OF COST WITHOUT COST**
)
) **UNDER RULE 18.5**
)
) **case no. 2022-cp-39-00680.**

IN SUPPORT OF HIS MOTION, PETITIONERS submits that in addressing his financial inability to pay the cost of his motion, U.S. supreme court has held that fundamental fairness entitles petitioner to an ADEQUATE OPPORTUNITY TO PRESENT THEIR CLAIMS FAIRLY WITHIN THE ADVERSARY SYSTEM AKA V. OAKLOHMA, 470 u.s. 68(1975).

IN Conjunction, the south carolina supreme court has held that anytime criminal procedures discriminate against a petitioner by reason of their indigent status, such procedures violate the guarantee of equal protection, where the indigent petitioner is subjected to a process which is not required of a non-indigent petitioner, then the process becomes invidiously discriminatory and violative of equal protection exparte lexington county, v. state 442,S.E.2d 589.594(1994). 17-27-60 cody (1975). under rule 18.5 filing fee lake v. state,

IN RELIANCE upon the above court decisions petitioner moves, this honorable court to grant his motion of appeal, and to proceed in forma pauperis without pre-payment of cost to his illegal life sentence.

date 7/11/2022.

Robert E. Dillard
ROBERT EARL DILLARD#220045
perry correctional inst,

Robert Earl Dillard #220048
Perry Correctional Inst.
430 Oaklawn Road O4B/259
Pelzer, S.C. 29669

THE South Carolina Court of Appeals
Kenneth A. Richstad, Clerk
Post Office Box 11629
Columbia, S.C. 29211

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